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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,917	02/11/2004	Robert William Dobbs	200209626-1	5500

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HEWLETT PACKARD COMPANY  
P O BOX 272400, 3404 E. HARMONY ROAD  
INTELLECTUAL PROPERTY ADMINISTRATION  
FORT COLLINS, CO 80527-2400

EXAMINER
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BUTLER, DENNIS

ART UNIT	PAPER NUMBER
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2115

NOTIFICATION DATE	DELIVERY MODE
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09/17/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

JERRY.SHORMA@HP.COM  
mkraft@hp.com  
ipa.mail@hp.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/777,917	<b>Applicant(s)</b> DOBBS ET AL.	
	<b>Examiner</b> Dennis M. Butler	<b>Art Unit</b> 2115	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 July 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

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1. This action is in response to the amendment received on July 10, 2008. Claims 1-22 are pending. No amendments have been made to the claims.

### **DETAILED ACTION**

2. The text of those sections of Title 35, US Code not included in this action can be found in a prior Office Action.

### ***Claim Rejections***

3. Claims 1, 7 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Toy, U. S. Patent 6,191,500.

Per claims 1 and 22:

A) Toy teaches the following claimed items:

1. a power distribution system with figures 2 and 3;
2. a bank of loads with critical loads 230 of figures 2 and 3, at column 4, lines 1-3 and at column 5, lines 36-51;
3. a bank of sources including a first group of sources (utility source #1, UPS #1 and UPS #2) and a second group of sources (utility source #2, UPS #3 and UPS #4) with figures 2 and 3, at column 2, lines 10-18, at column 4, lines 27-36 and 57-59 and at column 6, lines 14-23;
4. an interconnect arrangement including a plurality of interconnects that, in a first (normal) mode, are operable to connect each source of the first and second groups to at least one of the loads such that each of the sources in the

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first and second groups provides power to at least one of the loads, and that, in a second (failure) operating mode during which one or more of the sources is inoperable to provide power, are operable to cause each of the loads to remain fully powered by at least one source in one of the first and second groups with switch boards 340 a and B, UPS paralleling switchgear 370 and ring switchgear 380 of figure 3, at column 2, lines 10-18, at column 4, lines 27-59 and at column 19, lines 48-67.

Per claim 7:

Toy discloses that the first group of sources are AC sources with utility source #1, UPS #1 and UPS #2 of figure 3, at column 6, lines 14-23 and at column 11, lines 34-37.

4. Claims 2-6 and 8-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toy, U. S. Patent 6,191,500 in view of Slade et al., U. S. Patent 5,861,684.

Per claims 9 and 11:

A) Toy teaches the following claimed items:

1. a power distribution system with figures 2 and 3;
2. a bank of loads with critical loads 230 of figures 2 and 3, at column 4, lines 1-3 and at column 5, lines 36-51;
3. a bank of sources including a first group of AC sources (utility source #1, UPS #1 and UPS #2) and a second group of sources (utility source #2, UPS #3 and UPS #4) with figures 2 and 3, at column 2, lines 10-18, at column 4, lines 27-36 and 57-59 and at column 6, lines 14-23;

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4. an interconnect arrangement including a plurality of interconnects that, in a first (normal) mode, are operable to connect each source of the first and second groups to at least one of the loads such that each of the sources in the first and second groups provides power to at least one of the loads, and that, in a second (failure) operating mode during which one or more of the sources is inoperable to provide power, are operable to cause each of the loads to remain fully powered by at least one source in one of the first and second groups with switch boards 340 a and B, UPS paralleling switchgear 370 and ring switchgear 380 of figure 3, at column 2, lines 10-18, at column 4, lines 27-59 and at column 19, lines 48-67.

B) The claims differ from Toy in that Toy fails to explicitly teach that the second group of sources are a group of DC sources as claimed.

C) However, Toy describes providing a second utility source (utility source #2 110B) and discloses that the utility source could be any source of electric power that is normally used to provide power to critical load 230 (computer systems) at column 4, lines 42-44. Slade teaches that it is known to provide power to large computer systems by using a utility source comprising a second group of power sources (battery A-D, elements 18-21 in figure 1) that are a group of DC sources with figure 1, at column 1, lines 12-20 and at column 1, line 44 – column 2, line 6 and at column 3, lines 43-51. It would have been obvious to one having ordinary skill in the art at the time the invention was made that the power distribution system of Toy could have included a second group of sources that were a group

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of DC sources, as taught by Slade, in order to provide an alternate type of power source capable of maintaining full uninterrupted power to critical loads when one or more of the AC power sources fail. It would have been obvious for one of ordinary skill in the art to combine Toy and Slade because they are both directed to the problem of providing uninterruptible power to critical loads (large computer systems) in a power distribution system.

Per claims 2-6, 8, 10 and 12-21:

Claims 2-6, 8, 10 and 12-21 recite various configurations of loads and corresponding power source configurations. Both Toy and Slade disclose that the system power requirements are determined by the power requirements and the amount of redundancy desired at the site see Toy at column 1, lines 26-50 and column 17, lines 5-20 and see Slade at column 2, lines 1-13. Therefore, the particular load and power source configurations are design choices and it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide various power source configurations that match the power requirements of the loads being powered and the desired redundancy of the site.

### ***Response to Arguments***

5. Applicant's arguments filed on July 10, 2008 have been fully considered but they are not persuasive.

In the Remarks, applicant has argued claims 1, 7 and 22 with respect to de Vries (6,433,444) and claims 2-6 and 8-21 with respect to de Vries in view of Bobry

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(5,994,793). However, the previous office action, the non-final action of 9/10/2007, did not use these documents to reject the claims. The previous action (and the present one) rejects claims 1, 7 and 22 under 35 U.S.C. 102(b) as being anticipated by Toy, U. S. Patent 6,191,500 and rejects claims 2-6 and 8-21 under 35 U.S.C. 103(a) as being unpatentable over Toy, U. S. Patent 6,191,500 in view of Slade et al., U. S. Patent 5,861,684. Therefore, applicant's arguments are not persuasive because applicant did not amend the claims and has presented arguments directed to documents that were not used to reject the claims.

### ***Conclusion***

6. **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis M. Butler whose telephone number is 571-272-3663. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Dennis M. Butler/  
Primary Examiner, Art Unit 2115

Dennis M. Butler  
Primary Examiner  
Art Unit 2115